IN THE HIGH COURT OF JUDICATURE AT BOMBAY

TESTAMENTARY AND INTESTATE JURISDICTION

MISCELLANEOUS PETITION NO.23 OF 2001

Shri Charles Vincent Rodrigues ...Deceased

The Administrator General of Maharashtra ...Petitioner

AND

CHAMBER SUMMONS NO.69 OF 2006

IN

MISCELLANEOUS PETITION NO.23 OF 2001

Shri Charles Vincent Rodrigues ...Deceased

The Administrator General of Maharashtra ...Petitioner

and

V.R.Jenet Martina Pereira ...Respondent.

AND

CHAMBER SUMMONS NO.67 OF 2006

IN

MISCELLANEOUS PETITION NO.23 OF 2001

Shri Charles Vincent Rodrigues ...Deceased

The Administrator General of Maharashtra ...Petitioner

and

Jenet Martina Pereira ...Intervener

Mrs.J.A.Sarkhot i.b R.V. Govilkar for the Petitioner.

Mr.Clive D'Souza, for Respondent.

Mr.Bhagat i.b Vasant & Co. for the Intervener.

CORAM: D.K.DESHMUKH, J.
DATED: 20th OCTOBER,2006

P.C.:

1. In this petition, chamber summons no.69 of 2006 has been taken out by the petitioner for amendment in the petition. The chamber summons is granted in terms of prayer clause (a) and (b). Amendment to be carried out within a period of three weeks from today.

2. Heirs of the deceased who are mentioned in the petition have no objection to the grant of letters of administration in favour of the Administrator General. This petition is therefore, granted in terms of prayer clause (b). The learned Counsel appearing for petitioner states that the letters of administration are not in relation to the residential flat no.1 situated at "La-Belle", Ground floor, Vakola, Santacruz (East), Mumbai, which is in

possession of Jenet Martina Pereira. The statement is accepted. The petition is disposed of.

3. In view of the statement made by the learned counsel appearing for petitioner in relation to the residential flat no.1 situated in "La-Belle" Building, on a motion made by the learned Counsel appearing for applicant who has taken out chamber summons no.67 of 2006, the chamber summons no.67 of 2006 is allowed to be withdrawn.